

Remarks

In response to Office Action mailed July 5, 2007, Applicants have cancelled claims 11-14. Claims 1-10, 15-17 and 27 are pending. Amendments have been made, as suggested by the Examiner, to claims 1-10, 15, 17 and 27, to overcome rejections based on Section 112, and several objections to the claims. Applicants respectfully submit that these amendments place the claims in condition for allowance. There is no new matter introduced hereby.

Double Patenting Rejection

The Examiner has asserted double patenting between all pending claims of the present application and the following claim groups of other applications:

Claims 1-38 of U.S. Patent No. 7,232,835

Claims 1-32 of U.S. Patent Appl. No. 10/543,585

Claims 1-14 of U.S. Patent Appl. No. 10/552,456

Claims 1-17 of U.S. Patent Appl. No. 10/544,520¹

Claims 1-29 of U.S. Patent Appl. No. 10/502,573

Applicants submit that this rejection is a potentially and if proper, a provisional double patenting rejection, as the claims of this application have not been found allowable, and the claims of the cited U.S. Patent Applications have similarly not been found allowable to date. Upon a finding that the present claims are allowable, Applicants herewith submit a Terminal Disclaimer of these claims with respected to the cited issued U.S. Patent. With respect to the pending applications, if double patenting rejections properly lie in these cases, future indications of Allowability of such claims would serve to trigger Terminal Disclaimers of those claims with respect to other allowed claims.


¹ Applicants thank the Examiner for pointing out a clear error in the structure of Formula 1 of U.S. Patent Appl. No. 10/544,520, and the correction of that clear error will be addressed in prosecution of that application.

CONCLUSION

Applicants respectfully request a Notice of Allowance at this time.

Authorization is hereby provided to charge any required fees to Deposit Account No. 50-0912.

Respectfully submitted,
METHA et al.

By: 
George E. Heibel, PhD
Reg. No. 42,648

Date: December 5, 2007

Correspondence Address:
Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, NJ 08540
Telephone: (609) 720-5334
Facsimile: (609) 514-9779